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ABSTRACT

Since 1948, the locus of leadership, control, and management of the community colleges of New York has been vested in a three-tiered structural arrangement--the local institutional board of trustees and local sponsor, the Board of Trustees of the State University of New York (SUNY), and the Board of Regents. Article 126, the Community College Law, which established this tri-partite structure, now needs revision in two directions. It must clarify the powers and duties of local trustees vis-a-vis local sponsors; local sponsors presently tend to usurp powers proper to trustees. And, it must clarify the distinctions between the State Board's roles and duties as the governing board of SUNY and as a coordinating state-level board for community colleges; the blurring of these roles and duties leads the State Board to forget that the community colleges are not integral parts of the State University and that they cannot be treated as such. The Regents should act to effect these changes, but the main burden for legislative change will rest on the local trustees themselves. The main locus of governance must be retained by strong local boards of trustees and they must stand up for their rights and for what they know is best for their institutions. (DC)

LEADERSHIP AT THE CROSSROADS: COMMUNITY COLLEGES IN NEW YORK STATE, 1972

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The following address was delivered by Dr. Martorana at the annual Fall Conference of the Association of Boards and Councils of the Two-Year Colleges of State University of New York, Oct. 7, 1972 at the Lake Placid Club House.

THE ISSUE OF WHAT is to be the appropriate locus of responsibility for official leadership, control, and management of public two-year community colleges is one of long standing. It has plagued the "community college movement" in America since its beginning some three quarters of a century ago. While waxing hot and cold from time to time and from state to state it has not yet been fully and effectively resolved.

In New York State the issue is coming once more to a new "boil." Currents of influence and pressures, open and apparent, or veiled and subtle, are swirling all around the public community colleges in the state. Everybody, it seems clear, is spotlighting the community colleges — the recently released 1972 Master Plans of the State University of New York, the City University of New York, and the New York State Board of Regents; the Federal Government in its Higher Education Amendments of 1972; the popular press, radio, and TV.

IT SEEMS EQUALLY CLEAR that everybody in New York State is speaking about, interpreting, and making plans about community college developments to meet new social demands for post-high educational services and about the needed adaptations that these colleges should be making to the current and likely future social condition. Everybody, that is, except the community colleges themselves and the leadership that has these institutions as its primary

and sole educational responsibility. That leadership so far in New York is found only in your Association and the Association of Presidents of public community colleges.

The community colleges in New York State are in need of a spokesman, or several spokesmen, or many spokesmen. Persons who in positions of informed influence can and will speak for the community colleges are needed to deal with issues affecting these institutions without having first to reconcile data, interpretation, and possible conclusions to other educational concerns — be these the State University of New York, the urban centers and cooperative college centers of the University, the City University, the private colleges and universities, the independent trade and technical schools, the State Education Department, BOCES, or any other.

THEY ARE NEEDED not only within the several organized structures for educational operations in the state such as the major universities and the State Education Department, but also in the Legislature. They are also needed on the various standing or ad hoc committees and commissions such as the Advisory Council for Occupational Education and the Fleischmann Commission which are named to gather information, weigh issues, and make recommendations to official decision makers in the state for changes of practices and educational organization.

Only by this kind of open and free presentation of the community college views and positions, comparable and equitable to that which the other major components of education in the state enjoy, can truly balanced and sound conclusions for action be determined.

FOR AS LONG A TIME as I can hope to hold your attention this evening I shall attempt to play the role of such a spokesman, doing so around the text chosen for this speech which is also its title: **Leadership at the Crossroads, Community Colleges in New York State, 1972.** Most of my observations will relate directly to the public community colleges although you will note, I am sure, that several of the points to be stressed have relevance also to the agricultural and technical colleges of the State University as well.

Before starting on my comments, however, I should call to your attention that a beginning toward the kind of statesmanly spokespersonship for the community colleges was made on September 12 when your President, Alfred M. Hallenbeck, appeared before the Board of Regents. All of you should read and study carefully his statement on behalf of your Association, if you have not already done so. Noting the need for more open dialogue on the concerns of the two-year colleges, he said to the Regents, speaking to them as the supreme board of the University of the State of New York:

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"Perhaps we the citizen trustees and council members have been too silent — too polite.

"But we can no longer be silent. We can no longer leave to others the responsibility for the vitality, support, and growth of the public two-year colleges. We are here to express first and foremost our demand for institutional recognition as for that status within the University already earned and deserved by the public two-year colleges."

And in that statement looms again the basic question: Can the "community college movement" fulfill its true promise and full duty to public service under the present arrangements for its leadership, coordination, supervision, control, and management in New York State?

In New York State by constitutional and statutory law and by educational operating tradition, the locus of leadership, control, and management of the community colleges is vested in a three-tiered structural arrangement — the local institutional board of trustees and local sponsor, the Board of Trustees of the State University of New York, and the Board of Regents. Just about 25 years ago, the founding fathers of the State University of New York and of the community colleges — by enacting Article 8 with respect to the University and Article 126 with respect to the community colleges in the Education Law — in their wisdom saw fit to keep these two educational enterprises separate and distinct and yet related at the policy level of the Board of Trustees.

THIS WAS NEW YORK STATE'S response to recognizing a basic principle for legislative enablement of a statewide system of two-year community colleges, the principle being that there should be a required balanced partnership between local governance and autonomy of these institutions, on the one hand, and statewide coordination, evaluation, and supervision of their collective operations, on the other. This principle is still valid in framing or amending state-level legislation concerning community colleges and is generally observed in states where these colleges are well established. As I shall point out later, there are two flaws in the New York State response to the principle. But it has some advantages, too.

Since 1948, however, several things have happened that question again the wisdom of the decisions reached during the 1946-1948 inquiries and debates that led to the first Community College Law. These more recent developments are bringing about a re-examination, and pose, therefore, both an opportunity to you to build new strengths into the design for community colleges in New York State and a danger that some of the existing and proven strengths may slip away from you.

Among such actually or potentially influential changes over the past 25 years, five are especially notable. They are:

1. The growing weakness of the general property tax as a resource to sponsors to meet their share of the fiscal support formula and the related financial crises faced by the state in the past few years.
2. The emergence of the State University and City University as very large (some may even say monolithic) and major university systems. With the further sub-development that these are really not systems of coordinated somewhat federated higher educational institutions with identifiable educational missions, programs, and services which mark their reason for being in the system but are, rather, tightly integrated, highly unified institutions operating "in dispersion" one over the entire state and the other in the city.
3. The consequent and simultaneous apparent relative decrease of the role of the Regents in molding the course of higher educational development in the state.
4. The surge of new interest in post-high school education on the part of the Federal government and the positive growth in funds coming from that level of government to help support the community college level of education.
5. The seemingly paradoxical (in the context of the first three of the observations just advanced) and truly amazing growth of the public two-year colleges, including both a fantastic increase in the community colleges and a striking one in the agricultural and technical colleges, in the state.

And the growth of the community colleges has indeed been fantastic. They are now the predominant group of institutions providing post-high school education to the students in this state. In 1960, there were 18 community colleges compared to 28 campuses of the State University (including in the latter figure the six two-year agricultural and technical colleges); in 1965 this comparison was 28 to 30; in 1970 it had shifted to the community college's favor 37 to 34; and in 1971 the count was 38 to 35.

In 1960, the community colleges enrolled about 42% of all students reached by State University programs; in 1965, the percentage was approximately 49%; in 1970, 52%; and in 1971, the figure was 53%. I repeat — if the two-year agricultural and technical statistics are moved and combined with those of the community colleges as they should be, the story of the growth of the two-year colleges becomes even more striking.

YET IN THE FISCAL YEAR 1971-1972, when the community colleges collectively were educating fully as many students as the state-operated campuses of the University, including the agricultural and

technical colleges, they were getting approximately 20 percent of the amount provided the University by the state.

Yesterday afternoon some statistics were quoted that suggested the state is the largest contributor to the fiscal support of community colleges in New York State. The record on this point should be set straight.

In fiscal year 1969-70, the operating monies for the community colleges came 33% from the state, 40% from the local sponsors collectively, 24% from the students and 3% from other sources. In fiscal year 1971-72 the proportions were: 36% state, 40% local sponsors collectively, 20% students, 4% other. So you see, the current picture factually portrayed is that neither the state nor the local sponsors are providing as much as a half. Both are providing considerably less. And it is the student who is carrying almost all of the balance.

And yesterday's session gave little indication that the students' cause in this question of financing is being given high consideration. The idea that a standard tuition rate among all community colleges would be a step toward fairer treatment of students should be examined very, very carefully.

WITHOUT 100% FINANCING by the state of the public's share, would it really produce more equity for the students? Or would it simply remove from some students the break they are now getting from a low-tuition policy maintained as much as fiscal conditions will permit by the sponsor and trustees of particular community colleges? Think about this carefully, please, and keep the students' cause in the matter uppermost!

But to return to the point I was first making, that is the size of the community college enterprise. In fiscal year 1971-72, about \$88 million for community college operations came from the state in comparison to \$96 + million from the local sponsors collectively. Between the fiscal years 1964-65 and 1971-72, the increase in dollar support for operations from local sponsors, collectively, exceeded the increase from the state by over \$9 million. Or in other terms, over this time span the state increased its support to community college operations by about five times and the increase of tuition income was also about five times. But the sponsors, collectively, increased their support by over six times.

AND, ON THE CAPITAL COSTS SIDE, the community colleges have handled since 1965-66 about \$295 million, about 45% of it coming from the sponsors, about 45% from the state and 10% from

the Federal government. This is compared to approximately \$1 billion by the State University Construction Fund for its purposes.

About a quarter of a billion dollars a year for operations — an average of over \$40 million a year for capital costs. You community college trustees are in a big, big educational business. There can be no challenging that!

These data show well some of the reasons why the Carnegie Commission on Higher Education, upon examination of the 50 states, chose New York as one of the seven "pacesetter" states in community college education. Among other reasons were, of course, the quality of the faculties and staffs and the scope and excellence of programs you have been able to develop at your institutions.

THE INCREASE IN COMPREHENSIVENESS of programs and community services by the two-year colleges in New York since 1965 is as impressive as the increases in size of enrollment and monies marshalled to support them. This is not to say that all 38 of the community colleges are yet as fully programmed as the needs of their constituencies would require. But, overall and judged in the light of the hard struggle for recognition and funds, the achievement is quite remarkable.

Some credit for this must of course be given to the state-level members of the three-tiered structure for the direction, supervision, and management of New York's community colleges. There is clearly on the record the positive effort of the Regents' statement of policy for **The Comprehensive Community College**, issued in 1965, and the steady albeit somewhat low-keyed support of these institutions in their Statewide Plans for Higher Education consistently appearing from 1964 to the latest 1972 issue.

THERE IS EQUALLY CLEARLY on the record the positive position of the State University Board of Trustees in the series of Master Plan statements released by State University over the same span of years and the official pronouncements of top-level administrative endorsement of community colleges made consistently over the years by President Hamilton, Chancellor Gould, and most recently Chancellor Boyer.

But, with all due respect to the state-level agencies and all things considered, the striking growth, improvement, and stabilization of recognition of the community colleges must be ascribed in the most part **not** to the credit of the state-level agencies, but to that of the local boards of trustees. It has been you and your predecessor local lay citizen leaders who over the last quarter century have lived through the day-to-day efforts to give both meaning and sustenance

to the emerging institutions for which they had accepted the duty to guide and direct.

IT IS THE LOCAL TRUSTEES who have handled the difficult fiscal budgetary crises with local sponsors and with the state, who have striven to spread a better public understanding and community acceptance of these new, often little understood or misunderstood and more often unappreciated institutions, and who have wrestled with problems of faculty negotiations, strikes or near strikes, student-town-gown conflicts, and a long list of other very demanding local college operational decisions.

The inescapable fact is that the local trustees with the help of the administrators, faculty, and staffs whom **they** selected and employed have handled and are handling a major segment of New York State's organized, formal, post-high school educational enterprise measured in terms of numbers of students, numbers of campus locations, scope and complexity of program and services, and size of operating and capital budgets. And this they have done and are doing in general with demonstrated high responsibility, dispatch and efficiency, and with a minimum of state-level, centralized direction, supervisory surveillance, or what in other states would be called "bureaucratic overhead."

And while you trustees have been doing all this at the local scene you have succeeded in yet another important service. You have kept alive and are increasingly impressing the state-level decision makers, particularly the Central Administration and Board of Trustees of the State University, as the state-level board with clearest statutory responsibility on the matter, the need for updating and reforming Article 126, the Community College Law, to make more precise the authority and responsibility of local boards of trustees and to formulate a more reliable and equitable fiscal support formula.

LAST SPRING IN A SPEECH at Saratoga Springs following Governor Rockefeller's observations about one direction that the change in the law might follow, Speaker of the Assembly Perry Duryea remarked that the community colleges would "be in good hands" if made completely component parts of the State University. No doubt, he intended to pay a well deserved compliment to the trustees and administration of the State University for the top-rate leadership they have given it. But the inferred, even if unintentional, suggestion that the community colleges were **not** in good hands when led and directed by local citizen boards of trustees was truly unfortunate. The record shows clearly that such an observation is far, far from the truth.

Yet, as already noted, the question must be faced: Can the community colleges continue their success pattern in the present framework, especially when beset with a new set of special problems and an intensification of some of the older ones. Among the new problems are the impacts of faculty collective bargaining under the state's Public Employees Relations Act and of the 1969 legislation calling for imposition of "limitations" on state support for both operating and capital purposes.

Among the older and persistent ones are the conflict of local trustees and sponsors over controlling authority for college operations and the increased politicization of influence and pressures on these operations. These problem matters are severe to say the least, and they are increasingly drawing attention and concern from important quarters. All of you are quite familiar with Governor Rockefeller's statement to which I just made reference. And yesterday evening you heard Dr. Hurd's comments on its importance.

LAST SPRING THE BOARD OF TRUSTEES of State University sent to the Governor's office two key legislative proposals bearing on local trustee authority, which your Association leadership helped formulate; but they were too late to receive serious legislative attention. And most recently Chancellor Boyer named a special Task Force in Community Colleges to start early this year to frame legislative and other proposals to strengthen and assist the community colleges.

All this attention is very good, very commendable, and timely (indeed, overdue). In this examination of community college conditions and formulation of possible new courses of action exist, however, some dangers or threats to the continued growth and development of the community colleges as well as some promise for constructive changes. The negative possibilities should not be overlooked. Rather, the frank facing up to them is the challenge to the three levels of community college leadership. Here is the crossroads of action each of them faces — local trustees, State University Trustees, Regents.

THE FUNDAMENTAL CHALLENGE FACED by all three in common is found in this series of questions: How can the community colleges be positively helped and not hindered toward fulfilling their full and true educational purpose? How can they be protected from the danger so well described in the words of the first report to the Secretary of Health, Education, and Welfare by Frank Newman and his colleagues, "The community colleges are not yet set in concrete, but the molds are being formed by the four-year colleges and universities."

How can the unique educational purpose of the community colleges be protected from confusion with other educational goals and objectives, such as the offering of bachelor's degree programs (often needed and valuable to be sure to the people of the state but not the two-year college purpose)? How can they be protected from either being used speciously or being relegated to a lower order of priority than is given other educational purposes by official authorities which, in charge of some aspect of community college leadership, coordination, evaluation, and supervision but also in charge of other educational concerns, do not have or do not see the promotion of the cause for community colleges as their chief, their primary duty to perform?

LET US TAKE A QUICK LOOK at each of the agencies touching officially on the community colleges. Let us do this in the light of its essential role regarding community colleges, the pressures it will likely face to perform differently, and the needed response evidently best given to help free the community colleges and to give them the support they need to continue to improve in serving their purpose effectively.

Before naming each of the interested agencies and offering this review briefly for you, we should remind ourselves of what the real purpose of the community college is. It is well defined, I believe, in the 1972 Master Plan of the State University, but to put it simply in one sentence it would be this: to provide a comprehensive educational service to all post-high school needs short of advanced specialized professional collegiate studies of bachelor's degree level for all students in the service areas and in ways that best serve the individual student with dignity as well as quality and quantity.

This is the commitment of the idealized community college and, if held high, will completely negate the chances of these institutions ever becoming second rate or "the new slums in education" as our colleague at Syracuse University, Tom Corcoran, so properly warns.

The Local Boards of Trustees

I have already touched quite heavily on the essential role of the local trustees. It is to guarantee retention of high responsiveness by the college to the people of the area served and to the betterment of that community at large. The local trustees should be empowered to carry and should accept full responsibility for the policy direction of the community college, for the careful use of funds for operations and construction purposes (regardless from what source), for effective care of the college's physical resources, and most importantly

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for development and offering of instructional programs and other services the students, young and old, need. And, finally, for the regular evaluation of the entire enterprise.

The function of keeping the college close to its community purpose is to be emphasized — this is the essence of a community college and the chief educational reason for retaining a local institutional board. Vance Packard, in his work **A Nation of Strangers**, concludes that Americans are losing all sense of community and blames the colleges and universities in large measure for this. Local community college trustees should seek to make their institutions antidotes to the possible loss of a sense of community in America, not a cause of it.

LOCAL TRUSTEES DO NOT HAVE an easy task. They are under constant pressure to relinquish their role to others and to fade out of the responsible picture, to browse as ceremonial figureheads rather than active leaders. A recent analysis of research needs released by the Berkeley Center for the Study of Higher Education states, "But the significant question is whether these boards (lay boards of control of colleges and universities) with different constraints on their authority, are actually answering key governance questions or whether the questions are being answered by administrators (internal), by state government bodies (external), by others, or by no one."

It is a question which every board of trustees in New York State should ask of itself and search out a hard firm answer to it as it applies to the institution the board directs.

If local boards of trustees of community colleges are to discharge their key role in directing these institutions, a positive response on their part is necessary. They must safeguard their right and authority within proper general guidelines and procedures statewide, to employ and discharge the president of the institution. They must be on the alert that he and all the staff are aware that he and they through the president are responsible to the local board and not some more remote official authority.

LOCAL TRUSTEES, MOREOVER, must press for the duty to control the budget of operations regardless where the source of the income lies. They would be well advised not to yield to the argument that control must necessarily be centered in the same place from which operating funds come. That this position is patently illogical must be seen from the fact that operating funds are coming and very surely will come in the foreseeable future from a variety of sources.

Can any case be made that each contributing source — locality, state, Federal government, students, whatever — must have a measure of control proportionate to the funds provided without simultaneously coming to a conclusion that such an approach to institutional control could lead only to a constantly shifting dissension and to ultimate chaos? I think not.

There is ample evidence that institutional control does not necessarily flow from the source of institutional funds. Dr. R. L. Johns, professor of school finance at the University of Florida and perhaps the nation's outstanding expert in the field, wrote recently in reply to an inquiry I directed to him on this subject that he saw "no evidence" to support a conclusion that the shift from local to state sources for funding public schools must lead to an intensification of control of the schools from the state level. Among the several bodies of evidence to support this is Florida's shift several years ago to total state funding of its system of locally controlled community colleges with no evident increase in control of these institutions from the state level.

THERE IS ALSO THE CASE against control following funds now beginning to take form around the Federal revenue sharing program. As I understand it, Governor Rockefeller, his colleague state governors, and the chief executive officers of cities and counties succeeded in convincing the Federal government that beyond designation of the several broad areas of use to which the shared revenue can be put, no other Federal governmental controls need be applied. Is it too much for local boards of trustees of community colleges to ask for application of the same principle by the sponsor? Or, in view of the shift away from local property taxed-based financing, by the state? Again, I think not.

One final word about needed local trustee constructive response. It is to resist another questionable proposition, namely, that the way the local trustees are appointed should determine the general policy posture of the board. You are hearing proposals that the 9-member local boards now appointed 5 by the local sponsor and 4 by the Governor should be charged to reverse this arrangement. The argument given is that with possible higher levels of state funding, the local board should be more sensitive to state interests in the college as opposed to local service area's interests.

THE BASIC ASSUMPTION to this proposition is false! It should not be assumed that method of solution should affect policy posture of the institutional board. And research on the question shows that in good, strong colleges it does not. All trustees should concentrate on the interests of the community college in its service to its local con-

stituency, regardless how they are identified for board membership.

Indeed, it may well be proposed as a step forward in New York and to erase all suggestions of either local or state-level political claims on board behavior, that all board members of community colleges be **elected** on non-partisan tickets by the electors of the colleges officially defined service area, even though the local boards do not have local taxing power. Another approach would be to have trustees appointed from lists developed by broadly representative committees of all local interests. I repeat — the purpose is to get local boards that will assure college responsiveness to local needs within broad statewide policies and procedures set for all community colleges by the responsible state-level agencies; it is **not** to protect or to suggest either a locally or state-centered politically-oriented interest.

The Local Sponsors

The essential role of local sponsors, as long as there are such, is rather obvious. As long as there remains a local participation in financing, it is to provide the local community's share of the costs of operation and capital construction and to strive along with the local college trustees and responsible state-level authorities to arrive at a reasonable and equitable distribution of the shared fiscal responsibility for these colleges.

Once the locality's share of the fiscal burdens is determined and appropriations for a college's purposes are made in support of its budget for operations and capital costs, the duty to manage all funds received responsibly should be that of the local trustees and should be subject to standard post-audit procedures only.

THE PRESSURES ON THE LOCAL SPONSORS and the temptations they must wrestle against if community college purposes are to be served well are to assume the administrative and management prerogatives of the trustees. Here is where the New York State Community College Law needs change most critically. This is the first flaw in Article 126, the Community College Law as it was first framed. It is vague as to the powers and duties of the local trustees vis-a-vis the local sponsor. It is good to note that both State University and the Regents 1972 Master Plans call for quick attention to this weakness and its correction. Your Association, I know, has worked to this end for over seven years and I commend you on your patience as well as your service. My wish and prayer is that the 1973 Legislature will see the needed legislation passed and signed to remove this flaw from the New York State law.

Local sponsors hopefully will respond to the need for doing so

by agreeing to necessary law changes to do the three vital things that seem to be clearly essential:

1. To make the college trustees specifically and fully responsible for college local operational policy and procedures, including administration of the budgets.
2. To designate them as employers of all college personnel under definitions of the Taylor Act.
3. To refine and improve the balance in the fiscal support formula and to remove the current restrictive conditions in the "formula for limitations."

The challenge before all of us in this room is to impress on the leadership of the sponsors that these changes are in their best interests as well as those of the college trustees and the community colleges.

Board of Trustees of State University

The essential role of the Board of Trustees of the State University of New York, acting by statutory requirement as the state agency specifically responsible for the statewide excellence of the state's community college system, is fundamentally five-fold:

1. To coordinate the establishment and programming of those colleges, so that there is complete coverage of the state's needs without any wasteful duplication of services provided.
2. To provide broad policy guidelines and general direction, so that the general quality of the community colleges is kept high and so that statewide problems and interest are recognized and met effectively.
3. To seek needed resources, fiscal and other types, and to make these readily and fully available to the local boards of trustees and their staffs for needed local operations.
4. To promote the broad understanding of the role, the educational mission of these institutions, both to the general public and to the several offices of state government, and particularly to those of the Governor and Legislature.
5. To evaluate, in both the sense of using reports of fiscal post-audits and that of using techniques to evaluate educational results and to carry on programs of information gathering, staff and personnel development, and the like to help the colleges collectively to eradicate any weaknesses disclosed in the system.

These are the functions typically performed by the state-level boards responsible for community colleges and the professional staffs they employ in other states with well-defined and well-established community college systems. These are the functions, it seems to me, intended in the Education Law that the State University trustees perform.

I am sorry to say that the conclusion my experience and observations force me to reach is that the functions indicated have been performed only in part and not as completely or effectively as would appear necessary and desirable from the community college perspective. Illustrations of a possible more complete accomplishment are not hard to find. Time permits mention of only some that are key illustrations.

There is, for example, the rejection of the development of a system to assist local colleges in a centralized student loan collections service. There is the record of very slow action to get for needy students attending community colleges financial aid for college attendance equal to that received by comparably needy students attending the State University. There is the difficulty in getting money to help the statewide Faculty Council of Community Colleges to carry on a viable program of staff development and improvement. There is the record of passive acceptance of a state plan for vocational education which gives only minimal support to the work of the community colleges in this area.

THERE ARE THE REFUSALS to become involved in mediating or supportive ways in issues — sometimes critical ones — between local trustees and sponsors, even in instances where there appears no question of authority to do this. There is the slow action to join forces aggressively with this Association of Boards and Councils to get the law amended to define more clearly the authority of local boards of trustees.

Let us note carefully, however, that there is the other side of the picture, too. It should not be overlooked, for it shows the part of the five-fold responsibility that **has** been attended to by the State University trustees and the University administration. Time affords opportunity to list only a few examples again.

There is, as already noted, the clearly accepted concept of the community colleges as a basic foundation for all post-high school education and particularly the University itself. There is the official endorsement of the Faculty Council of Community Colleges. There is the record of progress in handling the transfer problem. There are the increases in state aid now provided for operations and in the capital "charge back" amount. There is Chancellor Boyer's creation of the special "Task Force."

AND THERE IS, OF COURSE, the fact that there is maintained, at the vice-chancellor level, an office in the Central Administration of the University whose duty is the maintaining of a constant awareness and developing appropriate recommendations to the Chancellor and the Board to serve the statewide concerns of the com-

munity colleges. If the interests of the community colleges are to be served well, this office at that level ought to be strengthened considerably.

This is essential not so much in terms of numbers of personnel, for theirs is a coordinating function not a managing one, but very much in terms of the responsibility and authority the office carries to keep the Chancellor and the Board of Trustees sensitive, alert and informed about community college affairs and how these colleges can be helped to grow in service and excellence.

I mentioned earlier that there are two flaws in the New York State design for response to the principle of local control with statewide coordination of community college development and operations. One, already described, is the confusion of trustee and sponsor authority at the local level. The other is one which I can describe for you, but frankly for which I do not see a total correction possible. There are ways possible, however, at least partially to correct the weakness and for what they are worth to you I will describe them, too.

THE FLAW IS THAT THE BOARD given statutory responsibility for the statewide supervision of the state's community college program is also the board which under other statutory directives is the governing or operating board of control of the State University. This structure is unique among the 50 states. It creates a condition where it is very difficult, if not impossible, for the board and for its professional staff to keep separate and distinct the duties that are properly attached to a state-level coordinating board of a system of locally controlled community colleges from the duties that are appropriately attached to a board and staff that fully governs and controls the actual day-to-day operations of a state university with multiple campuses.

The structure also creates a condition where it is easy for those who wish to do so to cloud rather than to clarify the different functions just described. I recall with an uncomfortable vividness how frequently in meetings with colleagues in Central Administration I found it necessary to remind the persons present that the community colleges are **not** integral component parts of the State University and could not be treated as such, and that they should not be so treated. I recall also how on one such occasion one of my colleague vice chancellors, who shall remain nameless here, blurted out, half in humor and half in serious pique at my reminder, "If we say it is true often enough, Marty, it will become true!"

This confidence that — by repeated assertion or by a planned handling of decisions they made with or without full official authority to

do so by a central administrative staff or other state authorities like a state budget staff -- the condition of a "self-fulfilling prophecy" can be created is all too prevalent in my observations. And it is a confidence and practice that bears careful watching by the lay citizen leaders who are supposed to be in charge.

THE PRESSURES ON THE State University Board of Trustees are to narrow their scope of responsibility, to fuse the dual functions I have identified into a single function, with an understandable but definitely dangerous tendency from the community college viewpoint to move all their attention to the function of governing State University and to abandon those of coordinating a state community college system.

One way to accomplish this abandonment, of course, without making it appear as such is to seek a statutory change to Article 126 of the Education Law which would make the community colleges completely and fully integral units of the State University and thereby abolish the local boards of trustees as officially responsible agencies of local control of these colleges.

THAT THIS KIND OF ACTION would seriously curtail, if not effectively eradicate, the current ability of the community colleges to be flexible and responsive to local service area needs is evident from some examination of the State University itself. The following is quoted from the State University of New York at Buffalo **Reporter** for September 14 which ran an article on the University Center's Self-Study for the Middle States Association accreditation visit:

"The difficulties lie, the Self-Study suggests, in the system itself. This is not a system in which the operating units . . . are given assigned tasks and resources and held responsible for accomplishing these tasks with the resources provided. Instead, it is one in which every detail of operation is subject to ongoing review and possible revision, if not rejection. Both authority and responsibility are spread throughout the system so that no one can act without repeated clearances, and no one is finally responsible for what takes place."

It is not the purpose of this speech to judge whether or not these statements are true. It is a proper purpose, however -- indeed an obligation -- to let it be known to community college trustees that such views exist and are felt strongly enough to be put on record.

The needed positive response on the part of the State University Board of Trustees and its staff on behalf of the community colleges should be quite evident. It should be to demonstrate more interest to seek understanding, to adopt more definitely the practices and

procedures of a coordinating state-level board for community colleges, and to distinguish more sharply these from the practices and procedures it should, indeed must, follow as the governing board of the State University. There are real differences in these duties and they should be clarified not clouded.

SUCH CLARIFICATION BY THE CHANCELLOR and the Board would do much to sharpen the understanding of the staff members in Central Administration of the tasks they are to perform in service to the community colleges. It would become clear, for example, that true policy guidelines and broad procedural directives would emerge from central deliberations, not actions to take over local institutional decisions and operations.

It would make clear that actions and services in support of the community colleges by the state-level coordinating agency should not be withheld simply because it is not responsible for full operational governance. You are hearing assertions that it is illogical to expect that a state agency will serve a local agency well because there is the lack of a sense of responsibility that would be attached if, in fact, the state agency had the controlling or governing responsibility itself. This is intolerable!

It would even be worse than one farmer saying to his neighbor whose barn is on fire, "I will not help you to put out the fire or to keep it from spreading to the house unless you give me your farm." The farmer's obligation to help without expecting a return is only a moral one; the state agency's duty is an official one.

This clarification of governance as opposed to coordinating functions of the board would be the first step in partially offsetting the negative aspects of the flaw in the New York State Law with respect to state-level supervision and coordination of community colleges. From time to time, some suggestions have appeared of an awareness and an intent to do this. But rather little action followed. Chancellor Gould, for example, in his speech to this very Association at its 1967 annual fall conference said, following a discussion of the "symbiotic" relationship of the community colleges and the State University:

"My information indicates that forces leading to separation of community colleges from other segments in a state structure for public education stems from two basic causes. First, the responsible state board is not basically sympathetic to its role in relationship to the community college mission and place in public higher education. Second, the responsible state board, for whatever reason, fails to provide the necessary resources in quality and size of staff, adequacy of finances, or

strength of facilities to enable leadership and support of the community colleges from the state level to be effective."

"State University of New York does not intend to repeat the errors of others. I believe it has demonstrated historically its competence and its commitment to uphold the community colleges in every way possible."

And repeatedly, Chancellor Boyer has stated his commitment and that of the University to support of the community college concept. I remind you of his two addresses to this very Association at the 1970 and 1971 annual fall conferences, and, further, to the statements and recommendations in the 1972 Master Plan.

THIS SUGGESTION TOWARD A SPECIAL, conscious effort by the Board of Trustees of State University to more sharply define and practice its role as state-level coordinator of the community college program is obviously an easier one for me to make than it is for the Board to implement. The pressures and the understanding tendency to move in other directions are strong indeed.

Consider, for example, the dilemma faced by the Board when it is confronted with the tough choice of adopting a policy on admissions which will either: 1) preserve the community college mission in the large educational design for the state and generate more empty rooms in the dorms at the University campuses or, 2) reduce the number of empty dorm rooms but confound the community college mission and generate local fiscal crises by virtue of the consequent reduced tuition and state aid to these institutions. It is obviously a choice that even Solomon, I do not believe, could have handled and come out unscathed. Yet it is one that is not hard to resolve if only the educational factors in it could be separated out and considered carefully.

The second step toward ameliorating the possible negative effects of the present arrangement in New York would be a legislative approach. But, this approach, I shall put off and come back to in the comments to follow on the role of the Regents.

The Board of Regents

Actually, the Regents emerge from this review and analysis as the educational agency in New York State with greatest authority and perhaps with largest challenge to its official behavior. This is true not merely because it is the body which the New York Constitution makes responsible for the general quality, long range direction and policy planning, and overall effectiveness and quality of all educational enterprises in the state, but because the Regents by tradition

and established historical practice in the state have come to be expected by the people of the state to carry on these essential duties.

In view of this, many of the suggested positive performance changes addressed here to local boards of trustees of community colleges, their local sponsors, and the State University Trustees could become Regents' rules and other types of policy guidelines. These would serve either to stimulate initiative on their part to change their way of doing business in ways to promote more effective achievement of community college educational goals or to reinforce such actions when they first appear on the initiative of these agencies themselves.

THEY COULD DO MUCH also to clarify the policies under which other agencies concerned with post-high school education and community colleges will need to relate and operate. I have not had time to discuss these but the issues of community college relations to BOCES, the City University of New York, the independent trade and technical schools, and the private four-year colleges and universities are real and serious. They are, moreover, issues that apparently only Regents' policy actions or law changes will resolve.

The positive action needed by the Regents on behalf of the community colleges then is to move once more into its leading role in higher education. I said earlier that during the last decade or so the Regents role "appeared relatively" to be decreased. These words were chosen carefully, for I am convinced that there has never been a real diminution in the concern and serious attention the Regents attach to higher education in general or to the community colleges specifically.

MOST IMMEDIATE POSITIVE ACTION is needed to get the Community College Law changed to ease the negative effects of the two major flaws that are now in it. As I have indicated these are, first the confusion of authority for control of the college by the local board of trustees in relation to the sponsor, and, second, the confusion of the functions of the Board of Trustees of the State University of New York with respect to their governance as opposed to their coordinating responsibilities.

It is most reassuring in these respects to see the recommendations that appear on Page 29 of the 1972 Statewide Plan, **Education Beyond High School**. The text leading up to the recommendations is as significant as the recommendations which follow. I quote:

"The regents are studying a new system for financing higher education. It will investigate the effects of having the state assume all operating costs, elimin-

ating the fiscal responsibility of a local sponsor . . . Each community college must still, however, respond to changes in local conditions and must educate personnel needed by local area employers.

"Thus, any change in fiscal support will not change the need for a local board of trustees that can guide and direct the college as it responds to the needs of people living in the local area. It is possible that changes will be made in the definition of a service area of a college as a result of any new financing proposal. Representation on the community college board of trustees, however, should still reflect local participation for program development and implementation."

These suggested changes in the law are excellent and would do much to reform positively the setting for community college operations in the state. The Regents are to be commended for this recognition of the need and this intent to preserve strong local boards of trustees for each community college.

BUT THE LAW SHOULD BE MADE much more specific and the duties and powers of the local board of trustees should be much more than to "reflect local participation in program development and implementation." The Regents should draw from its extensive experience in dealing with boards of education of local public schools to determine the full extent of authority and responsibility that should be unequivocally reserved to the local boards of trustees of community colleges in the law. They should heed to the excellent advice and support by their official action the conclusions stated by their own Commissioner Ewald B. Nyquist. Speaking before National School Boards Association on April 17, this year he said with respect to "State Funding and Local School Board Policy Making:"

"We must find ways for the states to collect and distribute money, while leaving truly in the hands of local authorities the key decisions regarding the *expenditure* of those funds — and by key decisions I mean those that pertain most directly to meeting the *educational* needs of students and the community. If, in the future, you and your staffs work as hard on educational matters as you have on financial matters, the future of local control will be assured.

"What will it take to make that happen? Two things:

"First, we must identify those powers and decisions that it is most essential to preserve at the local level.

"Second, we must make clear provisions for placing them there. I will deal briefly with each of these.

"1. Each of us will have his own list of critical local powers, but here are some that I would expect to find on every list.

- (1) The hiring, removal, and assignment of personnel.
- (2) The setting of goals in terms of local needs, but with recognition of the relationship of those goals to the broader needs and interests of the state and nation.
- (3) The determination of the content and sequencing of curriculum within a framework of state minimum requirements.
- (4) The selection of instructional materials.
- (7) The establishment of standards for promotion and graduation.
- (8) Control of physical plant.
- (10) The establishment of examining and evaluation procedures and instruments.
- (11) The direction of transportation services and purchasing policies.
- (12) Long-range planning and the encouragement of even increased citizen participation.
- (13) The division of expenditures, as between personnel, materials and equipment, management and other purposes, subject to the meeting of performance goals, something to which I will turn in a moment.
- (14) Finally, the local school board should have final decision on its budget with no requirement for prior approval from the state. The state's responsibility would be carried out through the usual post-audit procedures and new accountability requirements. A local public vote on the budget is an additional possibility as a way to maintain community involvement and interest (although that subject is not without controversy).

2. "What will it take to make sure that these powers are placed at the local level and made immune to erosion? I suggest that any state (or federal) legislation for state funding should provide specifically for the retention of these powers at the local level subject only to certain minimum state requirements."

I say to all of you here, to you local trustees, to you members of the State University Board of Trustees, and to you Chancellor Boyer: Amend the New York State Community College Law along these lines to give to local boards of trustees these kinds of duties and powers within broad coordinating duties set equally clearly for the State University trustees, and you will have in this state, I can assure you, the outstanding and best framework for community colleges of any state in the nation.

BEFORE MY CONCLUDING COMMENT, let me stress one more reason why the Board of Regents is in a key position this time in

community college development. It is the New Federal Higher Education Amendments of 1972. This law gives the "State Commission" under the Federal Act the obligation to develop a comprehensive statewide plan for community colleges which speaks specifically to six broad and key questions, including ones having to do with finances and organizational arrangements as well as programs of offerings and services. It appears that the Regents will be designated as the "Commission" in New York State.

This is an opportunity and a challenge to the Regents of great dimension and high significance. The time for the test of the Regents on the stand it will take on key educational legal issues relating to the future of the "community college movement" in New York may be at hand. In order to meet this test, the Regents should seriously, among other things, consider expanding and strengthening their staff relating to community colleges in the State Education Department.

Another of the actions the Board might seek to implement is a mandating of a periodic statewide plan for community college education more clearly defined and identifiable from those now appearing in the State University and City University Master Plans. Such an action would not only clarify the 1961 basic legislation on statewide planning; it would also be a logical tie-in with the requirements of the new Federal legislation.

Concluding Comments

So, if these observations and comments have validity, the conclusion is clear. All of the several key elements of leadership of community colleges in New York State are of a "crossroads" position — at a moment of truth. In its own way by what it does or does not do, where action would help and is called for but is not forthcoming — each agency can either help or hinder, advance or impede, the constructive continued and future growth and quality of the community colleges.

Each element of leadership can help to free or it can act to bind the community colleges in their ability to be responsive to local area post-high school needs, to serve their broad purposes well, and to do this flexibly and in their own way.

THE KEY TO THIS, as emphasized throughout, is a recognition by all parties concerned of the worth and the very essence in the design that there be strong and well defined local institutional community college boards of trustees. Here lies the key — to local responsiveness, to application of a wider wisdom to the problems of

the day and the likely future, to maintenance of flexibility within a broader, larger design for quality and efficiency, and to lower bureaucratic overhead.

You, the members of this Association, are of course the most important actors of all in this drama of "Leadership at the Crossroad," of community college progress in New York State. Don't sell yourself short. Don't fall for what I have heard referred to us the "Tinker-to-Evers-to-Chance" strategy whereby control of community colleges will be passed from local sponsors, where it now appears too much of it lies, to local boards of trustees, but then, in the grand design, to the state-level, the State University or some other totally centralized agency.

DEMAND YOUR RESPONSIBILITY, your freedom to perform on behalf of your community colleges. Require your president and his staff and the faculty to do likewise. And most importantly get the Legislature and the Governor to so reform the Community College Law along the lines necessary.

I end with a favorite passage from "The King and I." You will recall the scene, perhaps. The King has just dismissed his son who had been pressing him as to how as King-to-be he could learn all there was to know since a King was supposed to know all. The King in his soliloquy ponders in song and verse the quandary of man's quest for wisdom, knowledge, and understanding and ends with these words:

"Is a danger to be trusting one another,
One will seldom want to do what other wishes --
But unless someday somebody trust somebody,
There'll be nothing left on earth excepting fishes."

In his inaugural address, Chancellor Boyer very appropriately reminded us of the sound counsel of the scriptures to "seek" understanding." It is sound counsel indeed. And if the experience of the ages of civilized man gives us any understanding of where wisdom really is and where, therefore, the power to direct the minds and lives of men must fundamentally lie, it is in the direct broad base of the people themselves.

For centuries, social institutions and indeed nations have tried other courses of action unsuccessfully and often dangerously to their causes. As long as the wisdom needed and power to control the community colleges in New York State are drawn from, kept in, and as fully as possible entrusted to the widespread experience and collective judgments of you and those like you, local area citizen trustees of community colleges, I am sure the decisions for these institutions will be the right ones.

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